The Honorable Robert S Lasnik 1 2 **JAMES MCDONALD** 14840 119th PL NE 3 Kirkland, WA 98034 Phone (425) 210-0614 4 In Pro Per 5 **UNITED STATES DISTRICT COURT** 6 WESTERN DISTRICT OF WASHINGTON 7 AT SEATTLE 8 NO.: C10-1952RSL In Re: 9 10 **JAMES MCDONALD Plaintiff** 11 **Declaration and Certification of James** ONEWEST BANK, FSB, et al., McDonald in support of Plaintiff's Motion 12 to Compel to Produce Defendants. 13 14 James McDonald declares as follows: 15 1. I am the Plaintiff in the above listed action and am representing myself as pro se. I am 16 competent to testify in the above-titled action and have personal knowledge of the matters 17 referred herein. 2. On March 21st, 2011 I had a telephonic meeting with defense counsel Heidi Buck to set forth 18 19 20 me during the process. 21 3. On March 23rd, 2011 I telephoned Miss Buck to request her assistance in a manner related to 22

- the terms and conditions of our Joint Status Report. Miss Buck made no reference to having concerns about the items I had previously requested. Miss Buck agreed that there was no need to limit discovery and she agreed to act reasonably, cooperate and act in good faith with
- the case and to discuss the discovery process. An agent of Defendant OneWest, possibly from FEI which Miss Buck's boss also owns, endangered 3 children with his reckless driving while on his way to my residence to post the monthly notice and inspection that I am still occupying the residence. When their father asked him to slow down, he became verbally abusive. I requested Miss Buck to call me right away to make certain this person did not endanger or terrorize other people as in my opinion it was unacceptable. Miss Buck did not return my call.
- 4. On March 23rd, 2011 I followed up my voicemail with an e-mail to Miss Buck. It is attached to the Reply to Defendants Response to Motion to Compel. Miss Buck did not respond.

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Declaration of James McDonald in Support Motion to Compel

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James McDonald 14840 119th PL NE, Kirkland, WA 98034 Phone: (425) 210-0614 5. Between May 26, 2011 and July 11, 2011 I communicated with the counsel for the defense, Miss Heidi Buck, repeatedly to attempt to obtain the requested documentation from the First Request to Produce. The defendants produced some of the documents during that time, but not all of it. Miss Buck continued to state she was waiting to hear from her clients or her clients were looking into providing the documentation. Upon termination of the settlement conferences I again reached out to Miss Buck and again received the same response that she was checking with her clients. I made a final attempt to communicate with Miss Buck on January 3rd, 2012 at 1:19pm but never received a response.

I declare under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Dated: February 3, 2012

<u>/s/ James McDonald -</u> James McDonald Pro Se